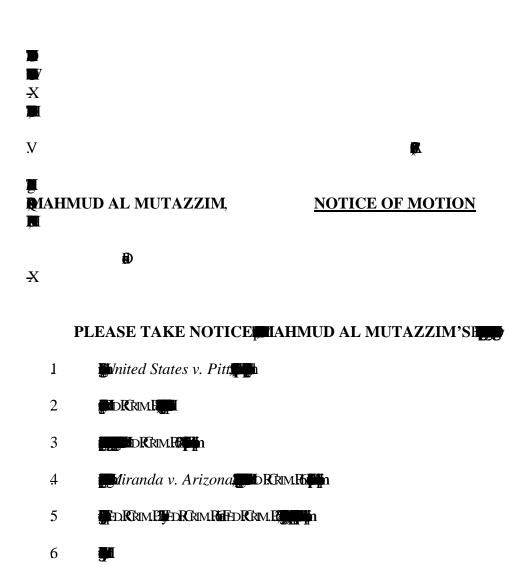


MAHMUD AL MUTAZZIM'S NOTICE OF OMNIBUS PRETRIAL MOTION REQUESTING RELIEF





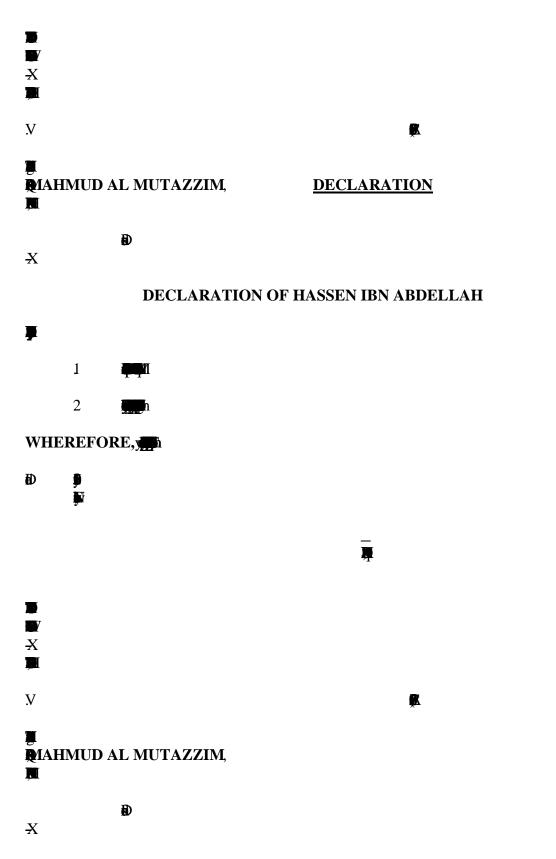
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MEMORANDUM OF LAW IN SUPPORT OF PRETRIAL MOTION AS TO THE

REQUEST FOR SEVERANCE FOR DEFENDANT MAHMUD AL MUTAZZIM PRELIMINARY STATEMENT

STATEMENT OF FACTS

tin two separate counts from the other two co-conspirator defendants

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LEGAL STANDARD

EDKRIMI TOKIMI V.S. v. Ramos V.S. v. Santiago Viting United States v. Gallo Viting Gallo

when him a fair trial. United States v. An-Longuoting United States v. Burke ee also Zafiro vs. United States lolding compromise a specific trial right of one of the defendants.

United States v. Rittweger, Malsee United States v. Muyet, See also United States v. Haynes

LEGAL ARGUMENT

I. SEVERANCE IS WARRANTED IN THIS CASE BECAUSE DEFENDANT AL MUTAZZIM WILL BE DEPRIVED OF A FAIR TRIAL IF TRIED JOINTLY.



a. SEVERANCE IS WARRANTED BECAUSE DEFENDANT AL MUTAZZIM WILL BE DEPRIVED OF HIS CONSTITUTIONAL RIGHT TO CONFRONT DEFENDANT SHAH IF TRIED JOINTLY.

Defendant Shah as to his motives and possible biases in this case as these issues directly relate to the credibility of the Government's case against him and are necessary to insure that Al Mutazzim receives a constitutionally fair trial.



b. SEVERANCE IS WARRANTED BECAUSE SUBSTANTIAL PREJUDICIAL SPILLOVER IS LIKELY TO OCCUR AND PERMEATE THE TRIAL TO THE EXTENT THAT CURATIVE INSTRUCTIONS WOULD BE COMPLETELY INEFFECTIVE.

